IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

TUESDAY, THE 3RD JULY 2007 / 12TH ASHADHA 1929

WP(C).No. 20278 of 2007(L)

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OS.899/1999 of PRINCIPAL MUNSIFF,ALAPPUZHA

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PETITIONER:

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P.RAJU, S/O.PURUSHAN,
RESIDING AT VELIYIL HOUSE, S.L.PURAM P.O.,
KANJIKKUZHY, CHERTHALA.

BY ADV. SMT.C.G.BINDU
SMT.C.G.AJITHA

RESPONDENTS:

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KANAKAMMA, W/O.KARUNAKARAN,
VELIYIL HOUSE, PERUMTHURUTH MURI,
KANJIKKUZHY, CHERTHALA.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 03/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**M.N.KRISHNAN, J.**

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**WP(C)No.20278 OF 2007 L**

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**Dated this the 3rd July, 2007.**

**JUDGMENT**

This writ petition is filed challenging the order of the appellate court directing the writ petitioner to pay a cost of Rs.10,000/- for allowing the Civil Miscellaneous Appeal. It was a stage where the respondent was not even represented through a counsel. The records would show that there has been negligence on the part of the present writ petitioner and the extent involved in the case is hardly two cents. So, considering all these factors, I am inclined to reduce the cost awarded from Rs.10,000/- to Rs.3,000/-. To this extent the order of the Principal Subordinate Judge, Alappuzha is modified and the writ petitioner is given six weeks time for making the payment before the trial court. If the amount is paid the suit be restored to file and be disposed of in accordance with law. Writ petition is disposed of accordingly.

**M.N.KRISHNAN**
**Judge**

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